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REMARKS:

Claims 1-20 were pending and considered by the Examiner. In an Office Action dated 03/23/2005, claims 1-6 were allowed, claim 14 was objected to but indicated to be allowable, and claims 7-13 and 15-20 were rejected. In response, claim 16 has been cancelled and claims 7 and 14 have been amended. Upon entry of this amendment, claims 1-15 and 17-20 will remain pending. Reconsideration and allowance of all claims are respectfully requested.

Applicant acknowledges with appreciation the Examiner's indication that claims 1-6 are allowed.

Applicant further acknowledges with appreciation the Examiner's indication that claim 14 would be allowable if rewritten in independent form. In response, claim 14 has been rewritten. Accordingly, Applicant believes that claim 14 is now in proper independent form and should be allowed.

Specifically, by way of the above amendment, claim 14 has been rewritten to include all of the limitations of original claim 7, from which original claim 14 directly depended. Accordingly, it is respectfully submitted that rewritten claim 14 is now in proper independent form and should be allowed.

Claims 7-13 and 15-20 have been rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent 6,042,159 (Spitzley et al.). In response, claim 16 has been cancelled, claim 7 has been amended, and the rejection of independent claim 18 is traversed. Accordingly, Applicant is of the opinion that claims 7-13 and 15, and 17-20 recite an invention neither taught by nor obvious from the teachings of Spitzley et al. and should be allowed. Reconsideration and allowance are respectfully requested.

Spitzley et al. teaches a door handle assembly having a side impact detector member operative in response to a side impact against the door with the handle in its closed position to move inertially from a neutral position to an impact position. In the neutral position, the side impact detector allows movement of the door handle to an open position. In a side impact position, the side impact detector blocks movement of the handle to its open position (column 1,

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line 67 through column 2, line 5). A side impact lever 34 is bifurcated proximate one end 34a of the lever, and a weight 34b is provided at the other end of the lever. A pivot pin 34c is pivotally received in a slot 32c in a free end 32e of a leg portion 32b of an actuator lever 32. A plurality of successive arcuately arranged teeth or serrations 34f are provided on weight 34b proximate an offset end 34g of the weight. Teeth 34f are sized for ratcheting, latching coaction with teeth 28f on a stop surface 28d (column 3, lines 35-43). A spring 36 is arranged to normally maintain side impact lever 34 in a neutral position forming a linear extension of the actuator lever and extending generally parallel to the plane of the door. Spring 35 readily allows pivotal movement of the side impact lever about the axis of pin 34c in a counterclockwise direction (column 3, lines 48-54). Normal operation of the door handle can be seen by a comparison of Fig. 2 (door handle assembly closed) and Fig. 3 (door handle assembly open). As the door handle assembly is moved from the closed to an open configuration, leg portion 30b of the handle slidably engages leg portion 32b of the bell crank actuator to exert a pulling force on a rod 54 (column 4, lines 25-33).

Side impact lever 34 functions to preclude movement of the door handle from the closed position of Fig. 2 to the open position of Fig. 3 in the event of a side impact as represented schematically by arrow 58. Specifically, in the event of a side impact 58 against the door 26, side impact lever 34, acting inertially, pivots immediately about the axis of pin 34c to the blocking position seen in Figs. 5 and 7. In this position, offset end portion 34g of weight 34b is in confronting relation to an escutcheon stop surface 28e and an escutcheon stop surface 28d. Escutcheon stop surface 28e coacts with offset end portion 34g of weight 34b to limit and define the pivotal movement of the side impact lever and stop the lever in a position in which it extends generally in a direction normal to the plane of the door. Escutcheon stop surface 28d coacts with offset end portion 34g of weight 34b to preclude any significant amount of pivotal movement of the handle 30 about the axis of pin 41. Any such incipient pivotal movement of the handle is terminated immediately by engagement of the offset end portion 34g of the weight with stop surface 28d. Weight teeth 34f and stop surface teeth 28f coact upon arrival of the weight at a position proximate the surface 28e to latch the side impact lever in a position proximate stop surface 28d and extending generally perpendicular to the plane of the door (column 4, lines 42-66).

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In contrast to the teaching of Spitzley et al., claim 7 as amended recites in part:

a latch ... moving in a path from a latch position to an unlatch position;

...

said handle arm and said lever arm configured and engaged to inhibit rotation of said latch lever without movement of said handle, including a portion of said handle disposed in said path between a portion of said latch lever and said unlatch position, for blocking movement of said lever to said unlatch position.

Accordingly, Applicant is of the opinion that claim 7 as amended recites an invention not taught by Spitzley et al. and should be allowed together with claims 8-13, 15 and 17 depending therefrom.

Spitzley et al. teaches a door handle assembly in which a side impact detector must be actuated and moved in order to provide an effective blocking arrangement to prevent unlatch of the door. Specifically, the side impact lever must rotate to block movement of the actuator lever and handle. If the impact detector does not move, door opening can occur uninhibited. In contrast thereto, the present invention as recited in claim 7 provides a structure in which a portion of the handle is disposed within the path which the latch lever follows in moving from a latch position to an unlatch position. Accordingly, without any movement, adjustment, side impact detection or the like the latch lever of the present invention can not move without the handle being moved. As can be seen from a comparison of Figs. 2 and 3 in Spitzley et al., nothing on the structure of handle 30 in Spitzley et al. prevents, inhibits or obstructs lever 32 from moving from the latched condition shown in Fig. 2 to the unlatch condition shown in Fig. 3. Accordingly, Spitzley et al. does not teach a portion of the handle disposed in the path of a portion of the latch lever, between a portion of the latch lever and the unlatch position, as recited in claim 7. Therefore, claim 7 clearly is not anticipated by Spitzley et al, and the rejection under 35 U.S.C. § 102(b) should be withdrawn.

Applicant further submits that Spitzley et al. does not render the present invention obvious. Spitzley et al. discloses a complex structure which requires activation and movement of a side impact lever for preventing accidental or unintended unlatch of the door. In its neutral or normal condition, the door handle assembly of Spitzley et al does not prevent accidental door

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opening. If side impact lever 34 of Spitzley et al. fails to move from the normal operating position shown in Figs. 2 or 3 to the blocking position shown in Fig. 7, unintended door opening could occur. Thus, if the pivot about pivot pin 34c binds or fails to allow movement of the side impact detector, blocking will not occur. If spring 6 fails, impact lever 34 may move to an interfering position when not needed, in which case the door can not be opened even if opening is desired.

In contrast to the teachings of Spitzley et al, the present invention provides a structure in which the structure itself inherently prevents accidental or unintended door opening. Without detection, movement or change, the handle of the present invention blocks movement of the latch lever to the unlatch position. In contrast to Spitzley et al, the present invention provides a structure and arrangement in which movement of the latch lever is always blocked unless the door handle is moved. If opening is desired, the handle can be moved and the door opened. Accordingly, it is respectfully submitted that claim 7 recites an invention neither taught by nor obvious from the teaching of Spitzley et al. and should be allowed.

Claims 8-13, 15 and 17 depend from claim 7 and include all of the limitations thereof while adding further specificity to the invention recited therein. Accordingly, Applicant respectfully submits that claims 8-13, 15 and 17 should be allowed together with claim 7 from which they depend.

Further however, claim 17 recites the lever arm having a laterally extending protrusion provided in a path in the unlatch direction, and the handle arm having a laterally extending rib disposed in the path. Nothing in Spitzley et al. teaches such an arrangement. The Examiner has referred to Figs. 2, 3 and 5 of Spitzley et al. However, the only overlap of the handle arm and lever arm structure in Spitzley et al. is behind the path of movement of the lever arm, not between the arm and the unlatch position for the arm. Accordingly, nothing on the handle arm prevents movement of the lever arm between the latched and unlatched positions as recited in claim 17, and claim 17 should be allowed.

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In further contrast to the teaching of Spitzley et al., claim 18 as originally filed recites in part:

a latch lever rotatable in an unlatch direction to unlatch a door, ...;
and
said handle arm at least partly overlapping said lever arm in said unlatch direction for restricting movement of said latch lever in said unlatch direction without movement of said handle.

Accordingly, Applicant believes that claim 18 recites an invention not taught by Spitzley et al. and should be allowed together with claims 19 and 20 depending therefrom. Reconsideration and allowance are respectfully requested.

As summarized above with respect to the rejection of claim 7, Spitzley et al. teaches a complex system in which a side impact detector must be moved from a non-interfering position to an interfering position in order to prevent unintended door opening. Nothing in the teaching of Spitzley et al. teaches or suggests a handle arm overlapping the lever arm in the unlatch direction. Therefore, nothing on the handle arm prevents movement of the lever arm in the unlatch direction as recited in claim 18. Accordingly, it is respectfully submitted that claim 18 is not anticipated by Spitzley et al. and for the reasons stated above with respect to claim 7, it is further submitted that the present invention is not obvious from the teaching of Spitzley et al. Accordingly, claim 18 should be allowed.

Claims 19 and 20 depend from claim 18 and include all of the limitations of claim 18 while adding further specificity to the invention recited therein. Accordingly, Applicant submits that claims 19 and 20 should be allowed together with claim 18 from which they depend.

Further however, claim 19 recites the handle arm having a protrusion overlapping a portion of the latch lever in the unlatch direction. Spitzley et al. does not teach a protrusion and an overlap in the unlatch direction, but instead teaches an overlap in the latch direction. A similar distinction exists with respect to claim 20, which recites the latch lever having a protrusion overlapped by the handle arm in the unlatch direction. Accordingly, it is respectfully submitted that each of claims 19 and 20 is allowable also on its own merits for the limitations recited therein, which are not taught by the teaching of Spitzley et al.

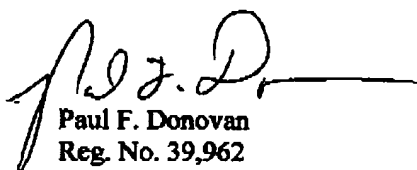
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No new matter has been added by way of the amendments and remarks made herein.

Reconsideration and allowance of all the remaining pending claims are respectfully requested.

In the event that there are any issues that can be expedited by telephone conference, the Examiner is invited to telephone the undersigned at the number indicated below.

Respectfully submitted,



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